

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NORTHERN NEW JERSEY
ORTHOPAEDIC SPECIALISTS, P.A.;
MARC A. COHEN, M.D.; BERGEN
ANESTHESIA & PAIN MANAGEMENT;
MICHAEL D. MOST, M.D. a/s/o E.C.,

Plaintiffs,

v.

HEALTH NET OF NEW JERSEY, INC.;
ABC CORP. 1-10 (said names being fictitious
and unknown entities),

Defendant(s).

CIVIL ACTION NO.: 12-06257-SRC-CLW

**CERTIFICATION OF MATTHEW A. BAKER, ESQUIRE, IN SUPPORT
OF HEALTH NET OF NEW JERSEY'S MOTION FOR SUMMARY
JUDGMENT**

I, Matthew A. Baker, of full age, hereby certifies as follows:

1. I am an attorney of law at Connell Foley, LLP and am admitted to practice before the Court, and am counsel of record for Health Net of New Jersey, Inc. ("HNNJ") in the above matter. I make this certification in support of HNNJ's motion for summary judgment.

2. Attached hereto as Exhibit "A" are true and correct copies of the relevant portions of the HMO-POS Plan, under which E.C. received health benefits during the calendar year 2009). (the "2009 Plan").

3. Attached hereto as Exhibit "B" are true and correct copies of the relevant portions of the HMO Plan, under which E.C. received health benefits during the calendar year 2010. (the "2010 Plan").

4. Attached hereto as Exhibit "C" are true and correct copies of the Explanation of Benefits forms produced by Plaintiffs in discovery for the services rendered to E.C. by the Plaintiffs for the dates of service identified in the Complaint.

5. Attached hereto as Exhibit "D" is a true and correct copy of the appeal submitted to HNNJ by Plaintiff Dr. Cohen on or about June 3, 2010. The appeal was for services rendered to E.C. on February 2, 2010.

6. Attached hereto as Exhibit "E" is a true and correct copy of HNNJ's response to Plaintiff Dr. Cohen's appeal that was sent on or about June 14, 2010.

7. Attached hereto as Exhibit "F" is a true and correct copy of the appeal submitted to HNNJ by Plaintiff Bergen Anesthesia & Pain Management on or about April 6, 2010. The appeal was for services rendered to E.C. on February 2, 2010.

8. Attached hereto as Exhibit "G" is a true and correct copy of HNNJ's response to Plaintiff Bergen Anesthesia & Pain Management's appeal that was sent on or about April 12, 2010.

I certify that the statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to just punishment.

BY: /s/ Matthew A. Baker
Matthew A. Baker, Esquire

DATE: August 23, 2013